

<b>BOARD OF APPEALS CASE NO. 5052</b>	*	<b>BEFORE THE</b>
<b>APPLICANTS: David &amp; Martha Sanborn</b>	*	<b>ZONING HEARING EXAMINER</b>
<b>REQUEST: Variance to construct an addition within the required front yard setback; 4314 Joshua Court, Street</b>	*	<b>OF HARFORD COUNTY</b>
	*	<b>Hearing Advertised</b>
	*	<b>Aegis: 6/7/00 &amp; 6/14/00</b>
<b>HEARING DATE: June 24, 2000</b>	*	<b>Record: 6/9/00 &amp; 6/16/00</b>
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## **ZONING HEARING EXAMINER'S DECISION**

The Applicants, David and Martha Sanborn, are seeking a variance pursuant to Section 267-34C, Table II, of the Harford County Code, to construct an addition to the existing home within the front yard setback as determined by a minimum lot width at setback line (200 feet required, 175 feet proposed) in an AG District.

The subject parcel is located at 4314 Joshua Court, Street, MD 21154 and is more particularly identified on Tax Map 16, Grid 3B, Parcel 87, Lot 10. The subject parcel consists of 22 acres more or less, is zoned AG Agricultural, and is entirely within the Fourth Election District.

The Applicant, David Sanborn appeared and testified that he proposes to construct an addition on his house. The witness stated that the only practical location of the addition is to the front of the house. His property is a panhandle lot consisting of 21.913 acres. The panhandle portion of the lot is 500 feet in length. Due to the shape of the lot and the necessity of locating the existing house to the rear of the lot in order to meet minimum setback requirements, the house is located 200 feet from the end of the panhandle. The Applicant proposes to construct a single story addition 600 square feet in size attached to the front of the existing 1 2 story home. Siding and roof materials will match the existing home.

There were no persons who appeared in opposition to the request.

## **Case No. 5052 - David & Martha Sanborn**

The Department of Planning and Zoning, in recommending approval of the Application, has concluded that the subject property is unique and that the addition proposed will not result in adverse impacts.

### **CONCLUSION:**

Section 267-34C, Table II, of the Harford County Code requires a 200 foot setback line on this property.

Variances from the provisions of the Code may be granted, provided the Board finds:

- (1) By reason of the uniqueness of the property or topographical conditions, the literal enforcement of this Code would result in practical difficulty or unreasonable hardship.
- (2) The variance will not be substantially detrimental to adjacent properties or will not materially impair the purpose of this Code or the public interest.

The Hearing Examiner agrees with the conclusions of the Department of Planning and Zoning and the assertions of the Applicant. The property is topographically unique and this uniqueness creates the need to locate the addition where it is proposed. The encroachment into the setback line will only be 25 feet on a 22 acre parcel which is a minor encroachment that cannot result in any adverse impacts or impair the purposes of the Code.

The Hearing Examiner recommends approval subject to the condition that the Applicant obtain all necessary permits and inspections.

Date JULY 31, 2000

William F. Casey  
Zoning Hearing Examiner